PROB 12C (7/93)

## **United States District Court**

### for

# **District of New Jersey**

# Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Dax Bowman

Docket Number: 06-00893-001

PACTS Number: 46150

Name of Sentencing Judicial Officer: The Honorable Faith S. Hochberg, U.S.D.J.

Date of Original Sentence: 02/20/2007

Original Offense: Distribution and Possession with Intent to Distribute Heroin

Original Sentence: 30 months imprisonment; 3 years supervised release.

**Date Supervision Commenced:** 08/04/2008 Type of Supervision: supervised release

Assistant U.S. Attorney: David Malagold, 970 Broad Street, Room 502 Newark, New Jersey 07102,

(973) 645-2700

Defense Attorney: Federal Public Defender's Office, 1002 Broad Street, Newark, New Jersey 07102,

(973) 645-6347

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### PETITIONING THE COURT

[X] To issue a warrant

The probation office alleges that the offender has violated the following condition(s) of supervision:

#### Nature of Noncompliance Violation Number

The offender has violated the supervision conditions which state 'As a condition of supervision, you are instructed to pay a fine in the amount of \$1,500. The fine, plus any interest pursuant to 18 U.S.C. § 3612(f)(1), is due immediately. In the event the fine is not paid prior to the commencement of supervision, the defendant shall satisfy the amount due in monthly installments of no less than \$50, to commence 30 days after release from confinement.' and 'It is ordered that the defendant shall pay to the United States a special assessment of

\$100.00, which shall be due immediately.'

Since the commencement of supervision the offender has not made any payments towards his court ordered financial obligations. The offender's special assessment and fine balances remain at \$100 and \$1,500, respectively.

The offender has violated the supervision condition which states 'You shall 2 refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician.'

On May 11, 2009; June 15, 2009; July 6, 2009; and September 22, 2009; Bowman submitted urine specimens which subsequently tested positive for cocaine. On May 5, 2009, Bowman signed a Drug Use Admission Form indicating he used cocaine on May 2, 2009.

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The offender has violated the supervision condition which states 'You shall report to the probation officer as directed by the Court or probation officer, and shall submit a truthful and complete written report within the first five days of each month.'

Bowman has not submitted Monthly Supervision Reports since October 2009, and failed to report to the probation office as directed on March 23, 2010.

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The offender has violated the supervision condition which states 'The defendant shall refrain from the illegal possession and/or use of drugs and shall submit to urinalysis or other forms of testing to ensure compliance. It is further ordered that the defendant shall submit to drug treatment, on an outpatient or inpatient basis, as directed by the U.S. Probation Office. The defendant shall abide by the rules of any program and shall remain in treatment until satisfactorily discharged with the approval of the U.S. Probation Office.'

On May 5, 2009, Bowman was referred to and began outpatient drug treatment at Integrity House in Newark, New Jersey. The offender last reported to the drug treatment program for counseling on February 3, 2009. The offender was not satisfactorily discharged from the program.

In addition, Bowman has failed to participate in the probation office's mandatory drug testing program, Code-A-Phone. Bowman last submitted a urine specimen for testing on January 26, 2010, and failed to submit specimens on the following dates: February 1, 2010; February 11, 2010; February 17, 2010; and March 15, 2010.

I declare under penalty of perjury that the foregoing is true and correct.

Paul E. Choinski U.S. Probation Officer

Date: 03/23/2010

THE COURT ORDERS:	
<ul> <li>[x] The Issuance of a Warrant</li> <li>[] The Issuance of a Summons. Date of Hearing:</li></ul>	Signature of Judicial Officer